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Counsel for Defendant YANG

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESSE YANG,

Defendant.

No. CR 12-00651 YGR

ORDER GRANTING STIPULATION
REFERRING MATTER FOR
VOLUNTARY SETTLEMENT
CONFERENCE & CONTINUING
CHANGE OF PLEA OR TRIAL
SETTING DATE; EXCLUSION OF
TIME;

STIPULATION

Pursuant to Local Criminal Rule 11-1(a), the parties jointly request that the Court refer this case to the Honorable Laurel Beeler for a voluntary settlement conference to be held on May 1, 2013, at 9:30 a.m. Local Criminal Rule 11-1(a) provides that at any time prior to a final pretrial conference, the “attorney for the government and the attorney for a defendant, acting jointly, may request that the assigned Judge refer the case to another Judge or magistrate Judge to conduct a settlement conference.” The parties are diligently working on the settlement of this matter and believe it would be an efficient use of judicial resources for this Court to refer this case to Magistrate

1 Judge Beeler to facilitate the final stages of the parties' plea negotiations.

2 It is further stipulated that the change of plea or trial setting date in this case, currently
3 scheduled for Thursday, April 4, 2013, at 2:00 p.m. before Honorable Yvonne Gonzalez Rogers,
4 may be continued to Thursday, May 16, 2013, at 2:00 p.m. for change of plea or trial setting. The
5 additional time will allow defense counsel to continue reviewing the discovery with Mr. Yang, and
6 also allow both parties adequate time to prepare for the settlement conference and continue
7 investigating and discussing a resolution prior to the next court date which will be for change of plea
8 or trial setting.
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10 The parties stipulate that the time from April 4, 2013, to May 16, 2013, should be excluded in
11 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv)
12 for adequate preparation of counsel so that defense counsel can continue reviewing the discovery
13 with Mr. Yang, and both parties can prepare for the settlement conference and continue investigating
14 and discussing a resolution prior to the change of plea or trial setting hearing date.
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17 DATED: 3/29/13

/s/
JOYCE LEAVITT
Assistant Federal Public Defender

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20 DATED: 3/29/13

/s/
RODNEY VILLAZOR
Assistant United States Attorney

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ORDER


GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that, pursuant to Local Criminal Rule 11-1(a), the case is referred for a settlement conference before Honorable Magistrate Laurel Beeler on **May 1, 2013**, at 9:30 a.m. or on such time and date as Magistrate Judge Beeler may designate.

IT IS FURTHER ORDERED that the change of plea or trial setting date for Jesse Yang, currently scheduled for Thursday, April 4, 2013, at 2:00 p.m. before Honorable Yvonne Gonzalez Rogers, is hereby continued to Thursday, **May 16, at 2:00 p.m.** for change of plea or trial setting.

IT IS FURTHER ORDERED that the time from **April 4, 2013, to May 16, 2013**, is excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv) for adequate preparation of counsel to allow defense counsel to continue reviewing the discovery with Mr. Yang, and also allow both parties adequate time to prepare for the settlement conference and continue investigating and discussing a resolution prior to the change of plea or trial setting date. The Court finds that there is good cause and that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: April 2, 2013


HON. YVONNE GONZALEZ ROGERS
United States District Judge